

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JEROME DAVIS,)
)
Plaintiff,) 4:05CV3258
)
vs.) ORDER
)
NEBRASKA DEPARTMENT OF)
CORRECTIONAL SERVICES,)
)
Defendant.)

This matter is before the court on filing nos. 9 and 15, the motions to amend, filed by the plaintiff. In filing no. 9, the plaintiff requests leave to amend his complaint add two new defendants and to sue the defendants in both their official and individual capacities. After review of the record I will grant the plaintiff's request. Randy Crosby and Calvin Haywood will be added as defendants in this case. The record will note that the plaintiff is suing the named defendants in both their official and individual capacities. Filing no. 9 is granted. Filing no. 15 is denied as moot in light of this order.

Also before the court is filing no. 17, the motion for additional summons and 285 forms, filed by the plaintiff. The plaintiff requests additional forms so that he may sue the defendants in both their official and individual capacities. After review of the record I will grant the plaintiff's request. I will direct the Clerk of the Court to send the plaintiff two additional summons and 285 forms. The plaintiff shall return the summons and 285 forms to the court within 30 days from the date of this order.

IT IS THEREFORE ORDERED:

1. That filing no. 9 is granted;
2. That filing no. 15 is denied as moot; and
3. That filing no. 17 is granted.

DATED this 17th day of March, 2006.

BY THE COURT:

S/F.A. GOSSETT
United States Magistrate Judge